

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VAN DYKE HORN, LLC,

Plaintiff,

v.

PETER VAN DYKE et al.,

Defendants.

Case No. 22-11141

Honorable Shalina D. Kumar

Magistrate Judge Kimberly G. Altman

**ORDER DISSOLVING *EX PARTE* TEMPORARY RESTRAINING
ORDER (ECF NO. 7) AND DENYING MOTION FOR PRELIMINARY
INJUNCTION (ECF NO. 2)**

On May 24, 2022, plaintiff Van Dyke Horn, LLC (VDH), an established public relations firm, commenced this action against defendants, former VDH principal Peter Van Dyke, Michael Sherman, and Jamie Kaye Walters. ECF No. 1. VDH asserts claims under the Defend Trade Secrets Act, 18 U.S.C. § 1836(b) and several state law claims against defendants, alleging misconduct in connection with the launch of their new, competing public relations firm. *Id.* VDH moved for an *ex parte* temporary restraining order (TRO), which the Court granted on May 25, 2022, ordering service on and a response from defendants and scheduling

a hearing on the motion for a preliminary injunction on June 1, 2022. ECF Nos. 2, 7.

The Court has reviewed the parties' briefs and submissions and heard argument from the parties. ECF Nos. 8, 10, 11. For the reasons stated more fully on the record, the Court finds that VDH has not established a substantial likelihood of success on the merits of its DTSA claim and thus has not met the requirements for the extraordinary remedy of preliminary injunction.

Accordingly, VDH's motion for preliminary injunction (ECF No. 2) is **DENIED** and the *Ex Parte* TRO (ECF No. 7) is **DISSOLVED**. Defendants' motion to dissolve the TRO (ECF No. 8) is **DENIED** as moot.

s/Shalina D. Kumar
SHALINA D. KUMAR
United States District Judge

Dated: June 2, 2022